

Residents' Rights

A. Abuse, Gross Neglect, Exploitation

1. Abuse: physical (including corporal punishment)
2. Abuse: sexual
3. Abuse: verbal/psychological (including punishment, seclusion)
4. Financial exploitation (severe complaints)
5. Gross neglect (use categories F & G for non-willful forms of neglect)
6. Resident-to-resident physical or sexual abuse
7. Not used

B. Access to Information by Resident or Resident's Representative

8. Access: own records
9. Access by or to ombudsman/visitors
10. Access to facility survey, staffing reports, license
11. Information: advance directive
12. Information: medical condition, treatment and any changes
13. Information: rights, benefits, services, the resident's right to complain
14. Information communicated in understandable language
15. Not used

C. Admission, Transfer, Discharge, Eviction

16. Admission contract and/or procedure
17. Appeal process: absent, not followed
18. Bed hold: written notice, refusal to readmit
19. Discharge/eviction (including abandonment)
20. Admission discrimination: condition, disability
21. Admission discrimination: Medicaid status
22. Room assignment/change, intra-facility transfer
23. Not used

D. Autonomy, Choice, Preference, Exercise of Rights, Privacy

24. Choose personal physician, pharmacy, hospice, other health care provider
25. Confinement of facility against will (illegally)
26. Dignity, respect, staff attitudes
27. Exercise preference and choice and/or civil and religious rights, individual's right to smoke
28. Exercise right to refuse care/treatment
29. Language barrier in daily routine
30. Participate in care planning by resident and/or designated surrogate
31. Privacy: telephone, visitors, couples, mail
32. Privacy: treatment, confidentiality
33. Response to complaints
34. Reprisal, retaliation
35. Not used

E. Financial, Property (except for exploitation)

36. Billing and charges: notice, approval, questionable, accounting wrong or denied (includes overcharge of private pay residents)
37. Personal funds: mismanaged, access and information denied, deposits and other money not returned (report criminal-level misuse of personal funds under A.4)
38. Personal property lost, stolen, used by others, destroyed, withheld from resident
39. Not used

Resident Care

F. Care

40. Accidental or injury of unknown origin, falls, improper handling
41. Failure to respond to requests for assistance, call lights
42. Care plan/resident assessment: inadequate, failure to follow plan or physician orders
43. Contracture
44. Medications: administration, organization
45. Personal hygiene (includes nail care and oral hygiene) and adequacy of dressing and grooming
46. Physician services (including podiatrist)
47. Pressure sores, not turned
48. Symptoms unattended (including pain, pain not managed), no notice to others of changes in condition
49. Toileting, incontinent care
50. Tubes: neglect of catheter, gastric, NG tube
51. Wandering, failure to accommodate/monitor exit seeking behavior
52. Not used

G. Rehabilitation or Maintenance of Function

53. Assistive devices or equipment
54. Bowel and bladder training
55. Dental services
56. Mental health, psychosocial services
57. Range of motion, ambulation
58. Therapies: physical, occupational, speech
59. Vision and hearing
60. Not used

H. Restraints: Chemical and Physical

61. Physical restraint: assessment, use, monitoring
62. Psychoactive drugs: assessment, use, evaluation
63. Not used

Quality of Life

I. Activities and Social Services

64. Activities: choice and appropriateness
65. Community interaction, transportation
66. Resident conflict (including roommates)
67. Social services: availability/appropriateness (use G.56 for mental health, psychosocial counseling/service)
68. Not used

J. Dietary

69. Assistance in eating or assistive devices
70. Fluid availability/hydration
71. Food service: quantity, quality, variation, choice, condiments, utensils, menu
72. Snacks, time between meals, late/missed meals
73. Temperature of food
74. Therapeutic diet
75. Weight loss due to inadequate nutrition
76. Not Used

Ombudsman Complaint Codes

A complaint is about a problem of commission or omission.

K. Environment/Safety

- 77. Air/environment: temperature and quality (heating, cooling, ventilation, water), noise
- 78. Cleanliness, pests, general housekeeping
- 79. Equipment/buildings: disrepair, hazard, poor lighting, fire safety, not secure
- 80. Furnishings, storage for residents
- 81. Infection control
- 82. Laundry: lost, condition
- 83. Odors
- 84. Space for activities, dining
- 85. Supplies and linens
- 86. Americans with Disabilities Act (ADA) accessibility

Administration

L. Policies, Procedures, Attitudes, Resources

- 87. Abuse investigation/reporting (including failure to report)
- 88. Administrator(s) unresponsive, unavailable
- 89. Grievance procedure (use C for transfer, discharge appeals)
- 90. Inappropriate or illegal policies, practices, record keeping
- 91. Insufficient funds to operate
- 92. Operator inadequately trained
- 93. Offering inappropriate level of care (for ALFs)
- 94. Resident or family council interfered with, not supported
- 95. Not used

M. Staffing

- 96. Communication, language barrier
- 97. Shortage of staff
- 98. Staff training
- 99. Staff turn-over, over-use of nursing pools
- 100. Staff: unresponsive, unavailable
- 101. Supervision
- 102. Eating assistants

Problems with Outside Agency, System, or People (not against the facility)

N. Certification/Licensing Agency

- 103. Access to information (including survey)
- 104. Complaint, response to
- 105. Decertification/closure
- 106. Sanction (including intermediate)
- 107. Survey process
- 108. Survey process: ombudsman participation
- 109. Transfer or eviction hearing
- 110. Not used

O. State Medicaid Agency

- 111. Access to information, application
- 112. Denial of eligibility
- 113. Non-covered services
- 114. Personal Needs Allowance (PNA)
- 115. Services
- 116. Not used

P. System/Others

- 117. Abuse, neglect, abandonment by family member, friend, guardian or while on visit out of facility, any other person
- 118. Bed shortage: placement
- 119. Facilities operating without a license
- 120. Family conflict; interference
- 121. Financial exploitation or neglect by family or other not affiliated with facility
- 122. Legal: guardianship, conservatorship, power of attorney, wills
- 123. Medicare
- 124. Mental health, developmental disabilities (including PASRR)
- 125. Problems with resident's physician/assistant
- 126. Protective Service agency
- 127. SSA, SSI, VA, other benefits/agencies
- 128. Request for less restrictive placement

Q. Complaints about services in settings other than long-term care facilities or by outside provider

- 129. Home care
- 130. Hospital or hospice
- 131. Public or other congregate housing not providing personal care
- 132. Services from outside provider
- 133. Not used